

Serial No. 10/083,356

H-1037

Amendment

Response to Final Office Action mailed October 12, 2007

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CENTRAL FAX CENTER****JAN 14 2008****REMARKS****Pending Claims**

Claims 1-8, and 12-15 are pending in this application. Claims 1- 4, 7, 12 and 15 have been amended. No new matter has been added.

**Claim Rejections - 35 U.S.C. §112**

Claims 3-8, and 12-15 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

Applicants have amended claims 3, 4, 7, 12 and 15 to overcome the 35 U.S.C. §112, second paragraph rejection.

**Claim Rejections under 35 U.S.C. § 103**

Claims 1-3, and 12-15 have been rejected under 35 U.S.C. §103(a) as being unpatentable over DeWeese et al., U.S. Publication No. 2005/0262542, in view of Abrahams, U.S. Publication No. 2002/0120934. Claims 4-8 have been rejected under 35 U.S.C. §103(a) as being unpatentable over DeWeese '542, in view of Abrahams '934 and Sarachik et al, U.S. Patent No. 6,816,628. Applicants request reconsideration of the rejections for the following reasons.

Applicants have amended claims 1 and 10. In particular, each of the claims has been amended to include obtaining a content broadcasted or distributed from a broadcaster or

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distributor to first and second terminal devices across TV broadcast or the Internet; displaying video images regarding the contents on the first terminal device and on the second terminal device; and selecting areas on the displayed video image by the first and second terminal device after the broadcast or the distribution of the content. Support for the added limitations in claims 1 and 4 are found in the Specification on page 8, line 19 – page 9, line 3, for example.

In the Office Action, it is pointed out that DeWeese does not teach sending selected area information, which indicates areas selected on the displayed video image, and communication based on an overlap between the areas, which are indicated in the selected area information. It is also noted that Abrahams teaches a system wherein a terminal device sends selected area information which indicates an area selected on a displayed video image, and matching the selected area information (overlap) with selected area information on a database.

However, the information exchange method of claims 1 and 4, includes the steps of “obtaining a content broadcasting or distributed from a broadcaster or distributor to first and second terminal devices across TV broadcast or the Internet” and “selecting areas on the displayed video image by the first and second terminal device after the broadcast or the distribution” in combination with a step of “allowing communication messages between the first terminal and the second terminal by the server device, based on the received identification information and overlap between the areas which are indicated in selected area information” (claim 1), or a step of “making up a group of two or more terminal devices

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including at least the first terminal device and the second terminal device, based on an overlap between areas which are indicated by the first and second selected area information" (claim 4). Thus, the amended independent claims set forth an "overlap between areas" that refers to the overlap between areas which are selected by the first and second terminal devices after the broadcast or the distribution of the contents.

On the other hand, Abrahams discloses that selection information, including coordinates corresponding to the location of the selection (of an object or a region) within the display (see paragraphs [0047] or [0052]), is compared to program selection information that is prestored in the database (see paragraphs [0048] or [0053] of the reference). Abrahams discloses that the selected information is "prestored" in the database or, in other words, is prestored in the database before the TV obtains TV programs. Thus, Abrahams does not disclose an overlap between areas which are selected by first and second terminal devices after broadcast or distribution of contents, as in the present invention.

Abrahams also does not disclose "allowing communication messages between the first terminal and the second terminal by the server device, based on the received identification information and an overlap between the areas which are indicated in selected area information" or "making up a group of two or more terminal devices including at least the first terminal device and the second terminal device, based on an overlap between areas which are indicated by the first and second selected area information", as claimed in independent claims 1 and 4, respectively. Accordingly, claims 1-8, and 12-15 are patentable over the DeWeese and Abrahams combination for the foregoing reasons.

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The Sarachik reference does not overcome the deficiencies noted with respect to the combination of DeWeese and Abrahams as applied to claim 4. In particular, Sarachik is merely relied upon for disclosing the sending of information regarding a displayed image including a message, identification information and selected area information. Therefore, the combination of DeWeese, Abrahams and Sarachik do not disclose obtaining a content broadcasted or distributed from a broadcaster or distributor to first and second terminal devices across TV broadcast or the Internet; selecting areas on the displayed video image by the first and second terminal device after the broadcast or the distribution; and making up a group of two or more terminal devices including at least the first terminal device and the second terminal device, based on an overlap between areas which are indicated by the first and second selected area information as set forth in claim 4. Accordingly, the rejection under 35 U.S.C. §103(a) of claims 4-8 as being unpatentable over DeWeese, Abrahams and Sarachik should be withdrawn.

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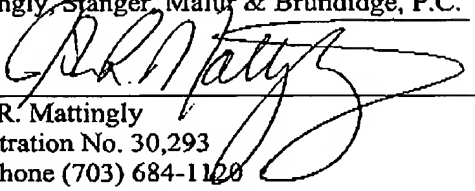
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**Conclusion**

In view of the foregoing amendments and remarks, reconsideration and reexamination are respectfully requested.

Respectfully submitted,

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